

SECTION III—REMARKS

This election and amendment is in response to the Office Action mailed June 7, 2006. New claims 40-45 are added and claims 29-45 remain pending in the application.

Amendment

New claims 40-45 have been added to the application. Claim 40 is a generic claim that links the inventions of species A and species B.

Election

In the Office Action, the claims were restricted into two species the Examiner alleges are patentably distinct:

Species A, comprising claims 29-33; and

Species B, comprising claims 34-39.

Applicants have provisionally elected, with traverse, to prosecute species A, comprising claims 29-33. Claims reading on species A are claims 29-33 and new claims 40-42.

Applicants respectfully traverse the restriction. When all claims directed to the elected invention are allowable, should any linking claim be allowable, the restriction requirement between the linked inventions must be withdrawn. MPEP § 809. New claim 40 is a generic claim that links both species A and species B. Since a generic claim is now present, and Applicants believe that both the elected species claims and the generic claim are allowable, the restriction should be withdrawn and all pending claims, including claims to both species should be allowed together in this application.

Consideration of the generic claim and the elected claims is respectfully requested.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7-7-06 Todd M. Becker
Todd M. Becker
Attorney for Applicant(s)
Registration No. 43,487

Blakely, Sokoloff, Taylor & Zafman LLP
12400 Wilshire Boulevard, Seventh Floor
Los Angeles CA 90025-1030
Phone: 206-292-8600
Facsimile: 206-292-8606

Enclosures: Postcard
Transmittal Letter, in duplicate
Information Disclosure Statement and PTO-1449
Cited references